

**RECOMMENDATION BY ICCAT ON PROTECTING THE HEALTH AND SAFETY OF  
OBSERVERS IN CPC OBSERVER PROGRAMMES**

*UNDERSCORING* that safety of life at sea is a longstanding objective of international maritime governance, that observers collect data that are essential to the functions of the Commission, and that the health, safety, and welfare of observers is critical to their ability to perform their duties;

*RECALLING* that the International Convention on Standards of Training, Certification, and Watch keeping for Fishing Vessel Personnel (STCW-F), adopted by the International Maritime Organization (IMO) in 1995, sets forth safety training standards for personnel serving onboard seagoing fishing vessels;

*NOTING* the commitments in international law, including the provisions of the International Convention on Maritime Search and Rescue, with regard to the development of an international maritime search and rescue plan for the rescue of persons in distress at sea;

*FURTHER NOTING* the obligations of CPCs to oversee the safety of its observers, as provided for in the *Recommendation by ICCAT to establish minimum standards for fishing vessel scientific observer programs* (Rec. 16-14);

*ALSO RECALLING* the *Recommendation by ICCAT on protecting the health and safety of observers in ICCAT's regional observer programs* (Rec. 19-10) and the *Resolution by ICCAT on harmonisation and improved observer safety* (Res. 19-16);

*RECOGNIZING* that the adoption of measures that promote the health and safety of observers in CPC programmes, particularly those related to vessel safety, could also support the objectives reflected in the *Resolution by ICCAT on core principles on labour standards in ICCAT fisheries* (Res. 23-20);

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

The following shall apply to ensure the health, safety, and welfare of observers deployed pursuant to Rec. 16-14 or any other CPC observer deployed on a flag CPC's vessel operating in ICCAT fisheries in the ICCAT Convention area in furtherance of fulfillment of the CPC's obligations under ICCAT observer requirements:

1. CPCs shall take the necessary measures to ensure that its vessels' operators and crew do not threaten, intimidate, or harm fisheries observers.
2. CPCs shall ensure that observers have received training in basic vessel safety before they are deployed on a vessel for the first time and at appropriate intervals thereafter.
3. Before deploying an observer on a vessel for a trip, CPCs shall ensure the observer has independent and unrestricted access to a two-way communication device suitable for use at sea and appropriate safety equipment, including a personal flotation device (PFDs), such as a life jacket or immersion suit, appropriate to the specific fishing operations and activities, including ocean area and distance from shore.
4. Flag CPCs shall ensure their vessels that carry observers covered by this Recommendation are outfitted with appropriate safety equipment for the entirety of each voyage, including the following:
  - a) A life raft of sufficient capacity for all persons onboard and with a certificate of inspection that is valid throughout the observer's deployment;
  - b) Fire extinguishing equipment;

- c) Personal flotation device (PFDs) of sufficient number for all persons onboard, and compliant with relevant international standards, such as, where applicable, the Cape Town Agreement, or equivalent domestic standards; and
- d) A properly registered Emergency Position Indicating Radio Beacon (EPIRB), a Search and Rescue Transponder (SART), or equivalent equipment that shall not expire until after the observer deployment ends.

CPCs may choose to exempt their vessels 12 m in length overall (LOA) or less and operating within 12 nm of the baseline from the requirements set out in 4a and 4d above if a Personal Locator Beacon is issued to the observer.

5. The CPC shall ensure that an observer is not deployed on a vessel unless and until the observer is allowed to 1) view the vessel's major spaces to ensure that no obviously hazardous conditions exist, 2) confirm the presence of safety equipment, and 3) report, as necessary, its status to the observer provider or relevant CPC authorities. CPCs shall give due consideration to any safety concerns reported.
6. CPCs shall ensure there is an established procedure for contacting and being contacted by the observer and the vessel and that this procedure provides for regularly scheduled contact with observers to confirm their health, safety, and welfare status. CPCs shall ensure there is a designated contact point for deployed observers to use in cases of emergency.
7. CPCs shall develop and implement an emergency protocol that clearly describes what actions must be taken in the event of various emergencies, including situations where an observer dies, is missing or presumed fallen overboard, suffers from a serious illness or injury that puts his or her health or safety at risk, has been assaulted, intimidated, threatened or harassed while on board a vessel, or if the observer requests to be removed from the vessel prior to the conclusion of the trip.
8. Flag CPCs with vessels carrying observers covered by this Recommendation shall, subject to domestic laws on confidentiality and privacy, submit to the Executive Secretary reports on observer incidents involving serious injury, death, or in the event of an observer that is missing or presumed fallen overboard, including any corrective action taken by the flag CPC. The Executive Secretary shall transmit such reports to the Commission, consistent with the Rules and Procedures for the protection, access to, and dissemination of data compiled by ICCAT, for its review at each annual meeting or, where warranted, more frequently.
9. Flag CPCs shall cooperate to the maximum extent possible with and provide for the participation of, as appropriate and consistent with domestic law, other relevant CPCs and/or non-CPCs in search and rescue operations and investigations of cases where the observer dies, is missing or presumed fallen overboard, suffers from a serious illness or injury that threatens his or her health or safety, or has been assaulted, intimidated, threatened or harassed while on board a vessel.
10. Nothing in this Recommendation shall prejudice the exercise of discretion by the relevant CPCs' authorities not to deploy an observer on a vessel because of concerns about risk to the observer's health, safety, or welfare.
11. Nothing in this measure shall prejudice the rights of relevant CPCs to enforce their laws with respect to the safety of observers consistent with international law.
12. This Recommendation shall be reviewed three years after its adoption, taking into account any guidance from FAO on standards related to fisheries observer safety as requested by the Joint FAO/IMO/ILO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters.